HON'BLE SHRI JUSTICE NOOTY RAMAMOHANA RAO

W.P. No.26309 of 1998

10.7.2007

Between

N.Vaikuntham and another ..Petitioners

AND

Osmania University represented by its Registrar and others ..Respondents

:: JUDGMENT ::

HON'BLE SHRI JUSTICE NOOTY RAMAMOHANA RAO

–

W.P. No.26309 of 1998

Sri Deepak Bhattachargee, learned Standing Counsel for the Osmania University is present. None to represent the case of the writ petitioners, inspite of posting the matter under the caption "for dismissal".

The writ petitioners who were working as Professors with the Osmania University have solicited directions to the University to continue them in service till they attain the age of 62 years based upon a communication dated 27.7.1998 of the Government of India. The University had taken the stand that the age of superannuation fixed by it has not been raised to 62 years for the petitioners to be continued or retained in service till they attain the age of 62 years. They have also placed reliance upon a judgment rendered by the Supreme Court in Civil Appeal No.6668 of 2003 and batch decided on 7.5.2007 and pointed out that in the matter of fixation of age of superannuation, the required decision has got to be taken by the State Government or the State Legislature of the concerned State,

Therefore, in the absence of any such prescription, the relief prayed for in this writ petition cannot be entertained. Hence, this writ petition is dismissed. No costs.

NOOTY RAMAMOHANA RAO.J.

10.7.2007
psr